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SUBJECT: TURKEY'S PLANS FOR MOVING FORWARD ON EU ACCESSION

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Classified By: A/DCM James Moore, reasons 1.4 (b, d).

¶1. (C) Summary: MFA Deputy U/S Bozkir, one of the leads in Turkey's EU accession negotiations, told us that the GoT's inter-ministerial negotiating structure is up and running, and they are proceeding with the screening of initial chapters. His immediate concerns are the Progress Report and Accession Partnership due out November 9; Cyprus-related issues, and what he termed as "special conditions" Turkey may face because of the existing Customs Union with the EU. It is likely to be a bumpy road, though the Turks understand they are entering the technical phase. End summary.

The Screening Process

2.(SBU) Ambassador Volkan Bozkir, who has shepherded Turkey's EU accession preparations from within the Turkish bureaucracy for five years and will - assuming he gets agreement - soon move to Brussels to head the Turkish Permanent Representation to the EU, laid out the Turkish structure and strategy for EconCouns and PolCouns. The initial screening phase had begun in Brussels, and would be completed within one year. The Turks (together with the Croats) had already been to Brussels for the "educational" portion of the screening on the Science and Research chapter, and were now returning solo for what he termed the "implementation" portion. According to the Commission's schedule, the Turks hoped to complete the initial screening phase for six chapters of the Acquis before the end of the calendar year. Once the screening process is complete on a particular chapter, a Commission report and recommendation, which in some cases may contain benchmarks, will be sent to the Council. With Council approval they will then begin to open chapters. Bozkir hoped they would formally open Science and Research and perhaps Agriculture in January.

The Turkish Team

3.(SBU) The nucleus of the Turkish negotiating team will, Bozkir confirmed, consist of five players: the MFA, the Prime Ministry, the State Planning Organization (SPO), the Secretariat General for the EU, and their Permanent Mission

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to the EU. He noted that MFA controls two of these, and that as FM Gul has the formal lead, MFA has "three trees" in this forest. He described Gul as the "political minesweeper" and State Minister Ali Babacan, who is organizing the overall strategy, as overseeing the more technical aspects of the process. Babacan would, for example, preside each week at two screening-related inter-ministerial meetings and, as individual chapters progress, ensure that the right ministries or organizations are tapped to work on appropriate

chapters. There will be a series of working group meetings as chapters are opened and progress, and subcommissions assigned to work each individual chapter. Bozkir thought the process was working well in its early days. (Comment: Any kind of inter-ministerial process is unusual in Turkey. Some have posited that Babacan's proposed structure could prove clumsy. If it is possible for it to function relatively well, it would actually mark an important change in how the Turks do business within their own governmental structures. End comment.)

The November 9 Reports

4.(SBU) The next hurdle will be the Progress Report and the Accession Partnership document, both of which are due out November 9. Bozkir and his colleagues have reviewed a first draft and are "trying to avoid dangerous wording." They realize, he said, that there will be negative language in some areas. The Accession Partnership document must be ratified by the Council and published in the Commission's official gazette. Bozkir explained that the Turks are looking for wording that is more diplomatic than technical. Their current biggest concern is the use of language referring to "Kurdish minority" and "Alawite minority" rights (Note: This always runs up against Lausanne Agreement definitional problems for the Turks; i.e., they recognize only those minorities - Greeks, Jew and Armenians - defined in the 1923 Lausanne Agreement. End note.) and references to the Southeast with respect to regional disparities, neglecting other impoverished and economically rather backward regions of Turkey. On the plus side, the Turks expect Turkey will be given good marks on the Copenhagen criteria requirement that Turkey have a "functioning market economy".

Cyprus, of Course

15. (C) Cyprus, of course, is a perennial headache. Bozkir noted that Cyprus was included in the Accession Partnership differently than in the past. His main concern was that the language not give the issue a greater EU perspective while neglecting the UN role. If the language goes further than last December's Brussels declaration, it would, he stated, harm the paper as a whole and undermine its credibility. It is important, he stressed, that it be a credible document that can be used as a reference point for the future. When asked about the potential for Cyprus to veto the opening of chapters unrelated to the issue of opening Turkish ports and airports to the Republic of Cyprus, Bozkir joked that, while Nicosia had at least 70 chances to exercise a veto during Turkey's accession process, he doubted they would expend internal EU political capital to block the opening of chapters such as Science and Research.

16. (C) When asked about the GoT's plans for ratification of the Ankara Agreement Extension Protocol, Bozkir responded that they did not feel obliged to do so. In his view, there was no formal requirement that parliament ratify it. (Comment: Bozkir, so far, is the sole official with whom we have spoken who has taken this view; it may also reflect the current reality that the GoT has decided to bide its time before submitting it to parliament. End comment.)

Customs Union Criteria

17. (C) An issue that clearly made Bozkir unhappy was the prospect of the EU making resolution of outstanding issues under the Customs Union preconditions for the opening of certain chapters. In particular, Bozkir was sensitive to the EU threat to delay the opening of the IPR chapter until the Turks had fully implemented data exclusivity protections in the pharmaceutical approval process, as required by the

Customs Union agreement and the WTO TRIPS agreement. Bozkir acknowledged that Turkish practice could fall short in some areas covered by the Customs Union, but said that Turkey was in effect being "punished" for having implemented the Customs Union in 1996, well before other countries that were now already full EU members. Other candidate countries are not part of a customs union with the EU. Bozkir felt that such issues should be addressed through the process of negotiating the specific chapters rather than making their solution preconditions to starting the process.

18. (C) Bozkir also viewed setting economic preconditions as not in line with the 1993 Copenhagen criteria, which had set political conditions to the opening of negotiations, but left economic issues to be the subject of the accession talks. Raising conditions to open certain chapters would cause blow-back in Ankara. Rather than encouraging resolution of the deficiencies under the Customs Union, the result could well be that the opening of problematic chapters would be delayed until later in the accession process.

19. (C) Comment: The Turks - at least Bozkir, and he deals with the entire accession bureaucracy - realize that once chapters are open, this is no longer a negotiation in the true sense of the word. The Turks are likely to remain in fighting form, though, as long as they perceive that the EU is piling additional political requirements onto the process. The next steps here will be the reaction to the EU documents to be released November 9 - the media are already previewing the anti-torture and human rights steps supposedly contained in the Accession Partnership document, likely in an attempt to soften the blow in advance. It is unlikely, given the prospect for numerous Cyprus-related dust-ups, that this process will ever settle down to the "below the radar screen" level that many Turks would like. We are in for years of brinksmanship, hopefully mixed with true progress, both in negotiations, and with regard to continued implementation of reforms here in Turkey.

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